

FILED

APR 6 2011

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,) Case No. 11-mj-32-FHM
)
 Plaintiff,) FILED UNDER SEAL
)
 v.) COMPLAINT
) 18 U.S.C. § 844(e): Willfully Making
 WILLIAM McWHIRT,) a Threat]
 a/k/a "Willy",)
)
 Defendant.)

BEFORE: Frank H. McCarthy, United States Magistrate Judge
Page Belcher Federal Building, Tulsa, Oklahoma

The undersigned complaint, being duly sworn, states:

Beginning on or about December 3, 2010 through February 18, 2011, in the Northern District of Oklahoma, the defendant, **WILLIAM McWHIRT**, a/k/a "Willy", through the use of a telephone, willfully made threats to kill, injure and intimidate a retired Tulsa County District Court Judge, and various Law enforcement officers, including Tulsa FBI Agents/Employees, an Oklahoma State Trooper and the Chief of Police for the City of Sand Springs, in and affecting interstate or foreign commerce, in violation of Title 18, United States Code, Section 844(e).

See the attached Affidavit of Special Agent Shannon Clark.

Shannon E. Clark
Shannon Clark, Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 4th day of April, 2011.

Frank H. McCarthy
Frank H. McCarthy
United States Magistrate Judge

Complaint Affidavit

I, Shannon E. Clark, being duly sworn, depose and say:

A. Introduction

1. I am a Special Agent with the Federal Bureau of Investigation (the "FBI"). I have been employed with the FBI since March 2004, serving as a Special Agent. I am currently assigned to the Oklahoma City Field Office, Tulsa Resident Agency. As part of my duties, I am authorized to conduct investigations in connection with the enforcement of United States federal laws. As a federal law enforcement officer, I have the authority to execute warrants issued under the authority of the United States.
2. I am the FBI case agent for an investigation involving threats against law enforcement officers, a retired Tulsa County District Court Judge, and the Tulsa FBI office.
3. The statements in this affidavit are based upon my training and experience, review of the evidence, personal knowledge, involvement in interviews, and information obtained from law enforcement and non-law enforcement officials. This affidavit is submitted solely for the purpose of establishing probable cause that defendant William McWhirt has engaged in violations of Title 18, United States Code, Section 844(e) (Willfully Making a Threat).

B. Overview of the Threats

4. Since December 31, 2010, there have been 15 voice mail messages from cellular telephone number 918-813-9996 left on the Tulsa FBI voice mail system. Many of these voice mail messages included threats against law enforcement officials, non-law enforcement individuals, and threats to bomb the Tulsa FBI office. In many of the voice mail messages, the male caller identifies himself as "Hannibal Lector."
5. On January 03, 2011, at 12:40am, a voice mail message from cellular telephone number 918-813-9996 was left on the Tulsa FBI voice mail system. The caller threatened to kill an "on-the-take drug smuggling State Trooper" and "Daniel Bradley", Chief of Police for the City of Sand Springs. The caller stated, "Daniel Bradley is dead."
6. On January 08, 2011, at 4:40am, a voice mail message from cellular telephone number 918-813-9996 was left on the Tulsa FBI voice mail system. The caller stated, "You know what a serial killer is mother fucker, you're looking at it." The caller then threatened to kill "Judge Crutchfield." The caller stated, "Hello Judge Crutchfield, I know where you fucking live. I can kill you anytime I want to bitch."
7. On January 22, 2011, at 11:30am, a voice mail message from cellular telephone number 918-813-9996 was left on the Tulsa FBI voice mail system. The caller once again threatened Daniel Bradley, Chief of Police for the City of Sand

Springs. The caller stated, "You tell Daniel Bradley, I'm going to get his ass." The caller also stated, "You think I'm playing a fucking game with you, but I'm not." The caller also stated, "Now you tell Daniel Bradley I'm going to have him killed."

8. On February 12, 2011, at 3:10am, a voice mail message from cellular telephone number 918-813-9996 was left on the Tulsa FBI voice mail system. The caller threatened the personnel and staff employed by the FBI. The caller stated, "And then I'm going to come up there [FBI office] and whoop the fuck out of you." The caller also stated, "So we're going to get rid of you [FBI office]."
9. On February 18, 2011, at 3:20am, a voice mail message from cellular telephone number 918-813-9996 was left on the Tulsa FBI voice mail system. The caller once again threatened the personnel and staff employed by the FBI. The caller stated, "Oh, by the way, there's a Tim McVeigh bomb headed for your ass."
10. On February 18, 2011, at 3:40am, a voice mail message from cellular telephone number 918-813-9996 was left on the Tulsa FBI voice mail system. The caller once again threatened Daniel Bradley, Chief of Police for the City of Sand Springs. The caller stated, "Oh, and by the way, I am going to kill Daniel Bradley of Sand Springs. There's nothing you can do about it." The caller also stated, "And I'm going to kill some police at random, and there's nothing you can do about it."

11. On February 18, 2011, at 3:50am, a voice mail message from cellular telephone number 918-813-9996 was left on the Tulsa FBI voice mail system. The caller threatened to bomb the Tulsa FBI office. The caller stated, "Hey, you ever seen a big ass fucking bomb in a mail truck, it ain't a Ryder truck today, it's a mail truck. Have a nice fucking day. And I'm not going to stop it, till you give me that fucking cop. Got it faggot?"

C. Further Investigation

12. On February 23, 2011, and March 25, 2011, Carol Raylene Prosser was interviewed by FBI Special Agents. Prosser has known McWhirt for approximately 11 years. Prosser described McWhirt as somewhat transient but resides at Prosser's residence on occasion. Prosser allows McWhirt to shower, sleep, and wash his laundry at her residence.

13. The FBI Special Agents played 15 voice mail messages, including the messages that are referenced above, that were left on the FBI voice mail system. Prosser identified McWhirt as the person making the threats. Prosser also confirmed that the originating telephone number, 918-813-9996, is the cellular telephone number for the phone used by McWhirt. According to Prosser, McWhirt has told her that he calls the Tulsa FBI office and leaves threatening voice mail messages.

14. During the interview, Prosser explained McWhirt leaves threatening voice mail messages, and gets aggressive, when he is drunk. Prosser had no knowledge that McWhirt takes medications or drugs.

15. McWhirt told Prosser that he used to work on an assembly line for a company in Texas that produced bombs for the military. A review of McWhirt's work history revealed employment in 1992 at Datron, Inc. which was an explosives manufacturer.

16. Upon further inquiry, on March 25, 2011, Yolanda Moore was interviewed by the affiant. Moore is the Director of Human Resources for General Dynamics in Garland, Texas. Moore stated that General Dynamics acquired a division of Datron called Intercontinental Manufacturing Company (IMCO) in 2003. Moore confirmed IMCO manufactured bomb casings for the military. Moore stated that McWhirt worked at the IMCO division of Datron from August 19, 1992, until December 07, 1992. McWhirt was hired as an Entry Level Laborer and worked on the assembly line where the bomb casings were manufactured.

17. On April 04, 2011, Darlene Crutchfield was interviewed by FBI Special Agents. Crutchfield is a retired Tulsa County District Court Judge. The FBI Special Agents notified Crutchfield that she was a target of one of the threatening voice mail messages that was left on the FBI voice mail system by McWhirt. Some time between December 200 to March 2009 Crutchfield was traveling

outside of Oklahoma. During that time period, TPD responded by and through Cpl. Brandon Disney, of the Riverside Division to Crutchfield's address based on a threatening call from McWhirt. Upon returning to Tulsa, Crutchfield spoke with a female TPD officer at the Riverside Division. The officer told Crutchfield that TPD Police Officers responded to her residence based upon a call from her neighbor. The officer explained that the neighbor reported that an individual was causing a disturbance and kicking Crutchfield's front door. The officer also gave Crutchfield three separate pictures of McWhirt so she would be aware if McWhirt returned to her residence or place of employment. During the affiant's interview, Crutchfield provided copies of the pictures of McWhirt.

D. Conclusion

18. Based on the above information, there is probable cause to believe that William McWhirt has acted in violation of Title 18, United States Code, Section 844(e), which among other things, make it a federal crime for any person, through the use of a telephone, to willfully make a threat to kill, injure, and intimidate various individuals, including an Oklahoma State Trooper, the Chief of Police for the City of Sand Springs, a retired Tulsa County District Court Judge, and the personnel and staff employed by the Tulsa office of the Federal Bureau of Investigation, in and affecting interstate or foreign commerce.

19. Based on the above information, there is also probable cause to believe that

William McWhirt has acted in violation of Title 18, United States Code, Section 844(e), which among other things, make it a federal crime for any person, through the use of a telephone, to willfully make a threat to unlawfully damage and destroy the building for the Tulsa office of the Federal Bureau of Investigation, by means of an explosive, in and affecting interstate or foreign commerce.

20. Based upon the foregoing, this Affiant respectfully requests that this Court issue a warrant for the arrest of William McWhirt.

21. It is further respectfully requested that a complaint be filed under seal until further order of this Court and that all papers filed in connection with this Application, including the Affidavit, and Arrest Warrant be sealed.



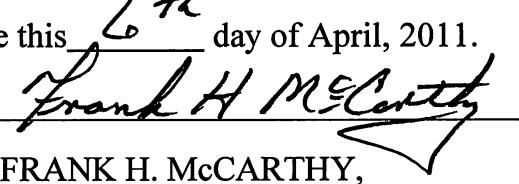
SHANNON CLARK

Special Agent

Federal Bureau of Investigation

Tulsa, Oklahoma

Subscribed and sworn to before me this 6th day of April, 2011.



FRANK H. McCARTHY,

U.S. Magistrate